

## PRIVACY ACT

[CT, FP – NR&D, FP – R&D, T&MC, LH/T&M, FPC, CREI, A – E - 09/04] [FAR 52.224-2 – 04/84]

(a) The Subcontractor or agrees to-

- (1) Comply with the Privacy Act of 1974 (the Act) and the rules and regulations issued under the Act in the design, development, or operation of any system of records on individuals to accomplish a JPL function when the Subcontractor specifically identifies-
  - (i) The systems of records; and
  - (ii) The design, development, or operation work that the Subcontractor is to perform;
- (2) Include the Privacy Act notification contained in this Subcontract in every solicitation and resulting First-tier Subcontract and in every First-tier Subcontract awarded without a solicitation, when the work statement in the proposed First-tier Subcontract requires the redesign, development, or operation of a system of records on individuals that is subject to the Act; and
- (3) Include this clause, including this paragraph (3), in all First-tier Subcontracts awarded under this Subcontract which requires the design, development, or operation of such a system of records.

(b) In the event of violations of the Act, a civil action may be brought against JPL when the violation concerns the design, development, or operation of a system of records on individuals to accomplish a JPL function, and criminal penalties may be imposed upon the officers or employees of JPL when the violation concerns the operation of a system of records on individuals to accomplish a JPL function. For purposes of the Act, when the Subcontractor is for the operation of a system of records on individuals to accomplish a JPL function, the Subcontractor is considered to be an employee of JPL.

(c)

- (1) "Operation of a system of records," as used in this clause, means performance of any of the activities associated with maintaining the system of records, including the collection, use, and dissemination of records.
- (2) "Record," as used in this clause, means any item, collection, or grouping of information about an individual that is maintained by JPL, including, but not limited to, education, financial transactions, medical history, and criminal or employment history and that contains the person's name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a fingerprint or voiceprint or a photograph.
- (3) "System of records on individuals," as used in this clause, means a group of any records under the control of JPL from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.